

RESOLUTION

NO. 146-02

DATE EFFECTIVE: 10-16-2002

A RESOLUTION AMENDING CHAPTER 14, ARTICLE V OF THE SEDGWICK COUNTY CODE

WHEREAS, pursuant to K.S.A. 19-3701, et seq. the Sedgwick County Board of County Commissioners is authorized to adopt revisions to the county sanitary code;

WHEREAS, the existing sanitary code found in Chapter 14, Article V of the Sedgwick County Code requires updating;

WHEREAS, the adoption of the revised sanitary code is necessary for the protection of the health and welfare of the public;

WHEREAS, the purpose of the sanitary code is to minimize or control environments and environmental conditions that may adversely affect the health and well-being of the public;

WHEREAS, the revised sanitary code shall apply to the unincorporated area of Sedgwick County but shall not apply to any premises in the unincorporated area that exceeds six hundred forty (640) acres in area and which is used only for agricultural purposes; and

WHEREAS, copies of the sanitary code will be available for public inspection at the Sedgwick County Department of Code Enforcement, 1144 S. Seneca, Wichita, Kansas.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, THAT THE BOARD APPROVE THE ADOPTION OF THE REVISED SANITARY CODE TO BE SET OUT IN ARTICLE V OF CHAPTER 14 OF THE SEDGWICK COUNTY CODE AS FOLLOWS:

SANITARY CODE

SECTION I. GENERALLY

A. Applicability of the Sanitary Code.

This sanitary code shall not apply to (1) incorporated cities or (2) any premises under one ownership, which exceeds six hundred forty (640) acres in area and which is used only for agricultural purposes.

B. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. *Agricultural purposes* means a purpose related to the production of livestock or crops.
2. *Cesspool* means a drywell that receives solely untreated sanitary waste, and which sometimes has an open bottom or perforated sides.
3. *Director of the Department of Code Enforcement* means the Director of the Sedgwick County Department of Code Enforcement or his or her authorized representative.
4. *Domestic wastewater* means all waterborne wastes produced at family dwellings in connection with ordinary living including kitchen, toilet, laundry, shower, and bathtub wastewater. Surface water runoff from roof, paved areas, or other areas; subsurface drainage from springs, foundation drains and sump pumps; cooling water; industrial or commercial wastewater from shops, manufacturing, car washes, etc. is not domestic wastewater and these types of wastewater shall not be mixed with domestic wastewater.
5. *Health department* means the Sedgwick County Department of Health.
6. *Health officer* means the local health officer or his or her authorized representative.
7. *Lateral field* means a system of perforated or open joint sewer pipe positioned underground within rock or gravel beds or trenches, to effect transfer of septic tank effluent to soil for percolation, evaporation or transpiration disposal.
8. *New construction* means initial construction or enlargement of the onsite wastewater system, modification of the method or extent of sewage treatment, or replacement of a significant portion of the existing onsite wastewater system.
9. *Onsite wastewater system* means the arrangement of devices, structures and mechanisms to treat and modify wastewater from a structure, in locations where a public sewerage system is not available, in such a fashion as to prevent sewage from being a public health hazard, a detriment to environmental or natural resources, or a water pollutant.
 - a. *Alternative or enhanced treatment system* means any system that includes enhanced treatment of wastewater resulting in effluent quality going into the soil absorption field that is of higher quality than from a conventional septic tank. Includes all media filters, aerated tanks and mounds, followed by soil absorption, including drip irrigation.

- b. *Conventional system* means a standard septic tank (one or two compartment) followed by soil absorption including at-grade and shallow in ground, chambers, rock and pipe, gravelless pipe, with or without effluent filter, gravity flow only, no pumps.
 - c. *Modified conventional system* means a standard septic tank (one or two compartment) followed by soil absorption, including at-grade and shallow in ground, chambers, rock and pipe, gravelless pipe, with or without effluent filter, with pumps, alarms, or other mechanical equipment, but no additional enhanced treatment, such as an aerated tank, media filter or sand filter.
 - d. *Lagoon/Wastewater stabilization lagoon* means a diked earthen excavation designed to retain wastewater in order that biological treatment may be accomplished.
10. *Onsite wastewater system installer* means any person engaged in the business of installing, altering, repairing, or excavating for any portion or all of onsite wastewater systems.
11. *Onsite wastewater installer's license* means the written license issued annually by the Department of Code Enforcement authorizing a person to engage in the business of installing, altering, repairing, or excavating onsite wastewater systems.
12. *Owner* means any person who, alone or jointly or severally with others: (1) has record legal title to any property or structure thereon with or without accompanying actual possession thereof; or (2) has charge, care or control of any property or structure thereon as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner.
13. *Percolation rate* means the measured ability of the soil to transmit water downward by gravity.
14. *Premises* means a lot, plot or parcel of land, including structures located thereon.
15. *Private residential spa pool* means any spa pool located on private property under the control of the owner or lessee, the use of which is limited to recreational or therapeutic bathing by the members of the owner's or lessee's family and their invited guests.
16. *Property* means any real property within the county which is not a street or highway.
17. *Public spa pool* means any spa pool other than a semipublic spa pool or a private residential spa pool which is operated by any person, whether that person is an owner, agent, lessee, operator, licensee or concessionaire, and intended to be used collectively by a number of persons for recreational or therapeutic bathing, regardless of whether a fee is charged for such use, and not restricted to the exclusive use of occupants of a temporary or permanent type of housing facility and their invited guests.

18. *Seepage Pit* means a subsurface vertical shaft lined with unmortared stone or other material, which is filled with rock or gravel and receives septic tank effluent.

19. *Semipublic spa pool* means any spa pool which is intended to be used primarily by the occupants and their invited guests of any type of a permanent residence facility, e.g., apartment house, condominium, residential club and housing complex, or of a temporary residence facility, e.g., hotel, motel and camp; further, a spa pool at a school, college, university, hospital or other similar institution shall be deemed to be a semipublic spa pool, provided that the spa pool is used primarily by persons directly associated with that school, college, university, hospital or other similar institution, or as a part of the scheduled activities of that school, college, university, hospital or similar institution.

20. *Septic tank* means a structure for the receipt of wastewater and clarification by settling into a liquid portion ready for further treatment by other methods and concentration of solids and organic matter for storage and digestion within the facility.

21. *Septage* means the sludge and liquid contents of a septic tank, which are removed during periodic pumping (cleaning) of the septic tank.

22. *Sewage* means any substance that contains any of the waste products or excrementitious or other discharges from the bodies of human beings or animals, or chemical or other wastes from domestic (refers to sewage originating from the kitchen, bathroom and laundry sources) manufacturing or other forms of industry.

23. *Spa pool* means any spa, hot tub or special facility, other than a residential spa or hot tub, which is designed for recreational and therapeutic use, and which is not drained, cleaned or refilled after each individual use. It may include but shall not be limited to units designed for hydrojet circulation, hot water, cold water, mineral bath, air induction bubbles or any combination thereof. Common terminology for a spa includes but is not limited to "therapeutic pool," "hydrotherapy pool," "whirlpool," "hot spa" and "hot tub."

24. *Soil Profile* means an open pit, which exposes the soil to a specified depth for evaluation by a trained person. This evaluation includes examining the pit side walls, determining the soil texture, structure, color, consistence, measuring soil depth and looking for evidence of a high water table or other restrictions.

C. Violations and penalty.

(1) This article is enforceable under Chapter 8 of the Sedgwick County Code. Except as otherwise stated, violations of this article are classified as provided in Section 8-5 of the Sedgwick County Code.

(2) Violations of this article are punishable as provided in Section 1-8 of the Sedgwick County Code.

D. Duties and authority of department of health and the department of code enforcement.

- (1) Unless otherwise provided for in this article, the health department shall have the authority and responsibility for administering this code.
- (2) The Sedgwick County Department of Code Enforcement is designated as the county agency responsible for administering the sanitary code regulations concerning sewage and sewage disposal.

SECTION II. PRIVATE SEWAGE DISPOSAL SYSTEMS

A. Applicability of division.

- (1) This section pertains to onsite wastewater systems including but not limited to the following types or classifications: septic tank-lateral field, lagoon and any other type of onsite wastewater systems approved by the Director of the Department of Code Enforcement. Any surface discharging system must be permitted by the Kansas Department of Health and Environment, per K.S.A. 2001 Supp. 65-165 & K.A.R. 28-5-1 et seq.
- (2) Pit privies shall not be used for permanent or continuous occupancies. Pit privies and chemical toilets may be used on a temporary basis as permitted and approved by the Director of the Department of Code Enforcement.

B. Prohibited practices.

- (1) New construction of any onsite wastewater system or any structure from which wastewater will be discharged other than to a public sewerage system may not be started by the owner, contractor or any other person until approval has been obtained from the Director of the Department of Code Enforcement for such onsite wastewater system.
- (2) Onsite wastewater systems existing or under construction on December 14, 1988, are not subject to this code until such time as these systems are modified, enlarged or replaced; or when inspected by the Director of the Department of Code Enforcement and found to be causing a public health hazard, nuisance or water pollution of the waters of the state.
- (3) No onsite wastewater system shall be constructed within 400 feet of an existing public sewer, unless the Director of the Department of Code Enforcement finds that connection to such a sewer system is not reasonable or feasible and that an onsite wastewater system, meeting the requirements of this code, can be constructed on the property which will not adversely affect the natural resources and public health and safety.
- (4) No person shall use, or cause to be used, any private wastewater disposal system which: a) has a discharge to the ground surface unless such system is permitted by the Kansas Department

of Health and Environment, b) has been enjoined as a public health nuisance by a court of competent jurisdiction, c) has received a written notice from the Department of Code Enforcement that said onsite wastewater treatment system fails to comply with the provisions of this code, d) discharges into a seepage pit, cesspool, well, mine shaft, or subsurface excavation, e) receives non-domestic wastewater, f) discharges wastewater to a vault or septic tank which is not a water-tight receptacle or g) any other device or system not approved by the Department of Code Enforcement.

(5) No portion of a private wastewater disposal system shall be constructed within the 100 year floodplain (as established by the Federal Emergency Management Agency) of any stream, river, or water course unless written approval is obtained from the Dept. of Code Enforcement. This does not preclude repair of existing systems, provided other requirements of this code are met.

(6) Cesspools, seepage pits and other wastewater disposal methods not described as acceptable or by the references adopted by this code, are illegal and shall be removed from operation upon notification of the owner by registered mail. Any replacement of these systems shall be constructed in accordance with this code.

(7) No person shall engage in the business of installing onsite wastewater systems without a valid onsite wastewater installer's license issued by the Director of the Department of Code Enforcement. On or after January 1, 2003, such license shall be issued only after the applicant has indicated a basic knowledge of the proper design and function of an onsite wastewater system and knowledge of the Department of Code Enforcement standards of construction by successful completion of a Department of Code Enforcement examination. Licensing requirements may be found in a separate resolution providing for the licensing and regulation of onsite wastewater installers. The Dept. of Code Enforcement may grant a waiver for an individual owner to repair or replace lateral lines upon obtaining a permit and meeting the requirements of this code.

C. Submission of plans; permit.

(1) It is the responsibility of the owner of the property upon which an onsite wastewater system is to be located to secure all required approvals before construction and to obtain a permit before use. The administrative procedure for securing such approval and obtaining the permit is as follows:

(a) The owner will notify the Director of the Department of Code Enforcement of the intent to construct or modify an onsite wastewater system. This notification will be supported with specific information to fully disclose intended usage, site, location and site characteristics, including the results of percolation tests and other soil and groundwater data as required by the Director of the Department of Code Enforcement. Percolation tests, borehole testing or soil profiling shall be certified by a qualified engineer or geologist as determined by the Director of the Department of Code Enforcement.

(b) The owner will apply to the Director of the Department of Code Enforcement on a Department of Code Enforcement application form for an onsite wastewater system permit. Payment of the permit processing fee is required at the time of filing.

(c) The owner will submit a specific design proposal.

(d) If the system design, the site and the intended usage are found acceptable, the Director of the Department of Code Enforcement will notify the owner and/or agent of approval to start construction of the onsite wastewater system.

(e) After completion of the work to the point where an inspection is required, the installer shall notify the Director of the Department of Code Enforcement of the completion and shall request inspection. Within 48 hours of the completion of the work, the Director of the Department of Code Enforcement shall make an inspection of the system. Any subsurface disposal system may not be covered prior to this inspection, and it shall be the responsibility of the installer to ensure that the system has been inspected prior to backfilling.

(f) If installation or workmanship of the system does not meet the requirements of the Director of the Department of Code Enforcement, the Director of the Department of Code Enforcement shall order corrections and cause a subsequent inspection to be made, pursuant to Sec. II(G).

(g) Any system installed without notification of the Director of the Department of Code Enforcement or inspection by him shall be uncovered for inspection if so ordered by the Director of the Department of Code Enforcement.

(h) The covering of a system by a permitted installer without notification or inspection shall be cause for an administrative hearing with the Director of the Department of Code Enforcement and may result in a suspension or revocation of the installer's permit.

(i) When the system has been satisfactorily constructed and inspected the Director of the Department of Code Enforcement will release to the owner the permit to allow use.

(j) If the system is not satisfactorily constructed or is not completed within one year of the Director of the Department of Code Enforcement's approval, the application for construction becomes invalid.

(2) Permit fees shall be nonrefundable. The processing and issuance or denial of the permit will not take place until such permit fee is paid. Such permits are not transferable.

D. Variances.

(1) The Director of the Department of Code Enforcement may grant a variance of the standards subject to the following considerations:

(a) The features of the site for which the variance is requested are not compatible with the requirements.

(b) Alternate methods or design features are available which will attain the objectives.

(c) The Director of the Department of Code Enforcement determines that the variance will not adversely affect natural resources and the public health and safety.

(2) An application for a variance must be filed with and approved by the Director of the Department of Code Enforcement prior to construction or modification of the onsite wastewater system.

E. Site requirements.

(1) All new plats or property on which an onsite wastewater system is to be constructed must provide a minimum of twenty thousand (20,000) square feet if the property is served by a public water supply and a minimum of forty thousand (40,000) square feet if the property is served by a private domestic water supply source; provided that space requirements are exclusive of dedicated public right-of-ways, easements, floodplains. This minimum size requirement is independent of all other area and separation requirements, which may necessitate a larger property. Any plat or property under 2 acres in size shall have soil profiling completed before preliminary platting in order to determine if there is sufficient area for the sewage disposal system and reserve area. An area of equal size to the wastewater system area shall to be held in reserve for future replacement of the disposal system.

(2) If a lateral field is utilized, at least ten thousand (10,000) square feet of the property must be suitable for the location of the lateral field and must meet the following conditions:

(a) Soil percolation tests for the lateral field area shall indicate a soil porosity at saturation such that a one-inch absorption or greater occurs within five (5) to sixty (60) minutes.

(b) The area must have four (4) feet or more of permeable soil average depth above any clay, shale or rock formation.

(c) The area must have a groundwater elevation at least ten (10) feet below the ground surface as indicated by a soil profile.

(d) The area must not be subject to inundation by floodwaters as determined by a flood of record plus three (3) feet or the 100-year floodplain as determined by FEMA, whichever is lesser.

(3) The onsite wastewater system must have a minimum of fifty (50) feet horizontal separation from any domestic water supply well and one hundred (100) feet horizontal separation from any public water supply well.

(4) Wastewater stabilization lagoons must have a minimum horizontal separation of one hundred (100) feet from the designed operational water surface to other properties, allowing public rights-of-way to be counted as part of the separation. A minimum of five (5) acres shall be provided for a single-family dwelling served by a wastewater stabilization pond.

(5) Lateral fields must have a minimum horizontal separation of ten (10) feet from other properties when such property is served by a public water supply. The minimum horizontal separation shall be twenty-five (25) feet when such property is served by private water wells, allowing public rights-of-way to be counted as part of the separation.

F. Testing of soil in proposed subdivisions.

Before a township, city, county, joint planning or zoning board or any other body authorized to review and recommend approval of plats of subdivisions of land in the unincorporated area can recommend approval of any plat, the suitability of the soil for private onsite wastewater systems shall be determined by the Director of the Department of Code Enforcement based on the results of soil percolation tests, soil borings, or a soil profile evaluation.

G. Design standards.

(1) Design requirements for onsite wastewater systems shall be as set forth in the design policies of the Director of the Department of Code Enforcement, including Bulletin 4-2 of the Division of Environment of the Kansas Department of Health and Environment and the Environmental Health Handbook.

(2) All on-site wastewater tanks shall be watertight and of durable construction sufficient to include support of conventional septic tank servicing vehicles. Structural integrity of septic tanks will meet the requirements of the Kansas Department of Health and Environment Bulletin No. 4-2.

(3) Effluent from on-site wastewater systems which have a discharge to surface waters of the State must be disinfected to levels approved by KDHE. Any on-site wastewater treatment system designed with a surface water overflow or discharge must meet all state and federal requirements and effluent standards and must be approved and permitted by KDHE.

H. Operation and maintenance.

(1) The owner shall be responsible for the operation of the onsite wastewater system.

(a) All alternative or enhanced treatment systems that require periodic monitoring and maintenance, before a permit to operate will be issued, the following will need completed and updated annually:

i. A signed and notarized maintenance agreement will need to be filed with the register of deeds and a copy provided to this department.

- ii. The system will be subject to an annual operating permit to be renewed January 1 of each year, to be obtained from this department.
- iii. At the time of annual renewal a copy of any new maintenance contracts as well as any documentation relating to inspections and maintenance performed throughout the year.
- iv. If the permit is not renewed within thirty (30) days of the renewal date, then the owner will be subject to penalties pursuant to section I(C).

(2) The system shall be operated and maintained in a fashion to prevent water pollution and to be free of public health hazards or nuisances, including the surfacing or unapproved discharging of treated or untreated sewage.

(3) The owner shall correct operational or design deficiencies within a stipulated time as directed in writing by the Director of the Department of Code Enforcement. The stipulated time limit for correction of operational or design deficiencies shall be reasonable in relation to the circumstances and hazards involved, but in no case shall be greater than sixty (60) days. Severe hazards shall be corrected within twenty-four (24) hours.

(4) Wastewater stabilization lagoons designed and permitted as nondischarging systems must be operated in such a fashion as to ensure that no discharge occurs. An acceptable method of preventing pond dike overtopping, when approved by the Director of the Department of Code Enforcement, is controlled irrigation upon agricultural cropland or grassed areas not used for recreation. The irrigation water shall be applied in such a fashion and at such times that no surface runoff leaves the property. Property which is used for irrigation must be under the control of the owner of the system and may not be within one hundred (100) feet of a water supply well nor fifty (50) feet of other properties. Care shall be exercised to minimize the taking of fresh or untreated sewage and sewage solids within the irrigation water.

SECTION III. SPA POOLS

A. Approval of plans.

No person shall begin construction of a public or semipublic spa pool or substantially alter or reconstruct any public or semipublic spa pool without first having obtained the approval of the health officer. For this purpose, three (3) copies of the plans and specifications meeting the requirements of this section shall be submitted for review. The plans shall be drawn to scale and accompanied by proper specifications so as to permit a comprehensive engineering review of the plans, including the piping and hydraulic details. The plans shall include plan and sectional views with all necessary dimensions of both the pool and surrounding area. The specifications shall contain details on all inlets and outlets; filtration, aeration and recirculation systems; water supply and wastewater disposal; electrical equipment; and decks and steps. The basis of review by the health officer shall be the most recently published Suggested Health and Safety Guidelines for Public Spas and Hot Tubs prepared by the United States Department of Health and Human Services or the Minimum Standards for Public Spas by the National Spa and Pool

Institute. The spa pool and facilities shall be built in accordance with the plans as approved unless approval of changes has been given in writing by the health officer.

B. Inspection prior to public use.

The owner or agent of every public or semipublic spa pool shall notify the health officer at the time of completion of the spa pool to permit inspection of the spa pool and related equipment before the spa pool is made available for use by the public. No spa pool shall be used by the public until such inspection has been made and the facility is in full compliance with the requirements of this division.

C. Right of entry.

The health officer is authorized to conduct inspections of spa pools and collect water samples as deemed necessary to ensure compliance with all provisions of this division, and shall have right of entry at any reasonable hour to all spa pools for this purpose.

D. Authority to order closure or modification of operations.

The health officer, because of epidemics or an outbreak of sickness related to a spa pool or because of the potential for transmission of disease or sickness through a spa pool, or because of failure to comply with the requirements of this division, may, as a preventive public health measure, order such spa pool to be closed or order such modifications of pool water treatment or pool operation and use as he deems necessary. The manager of a spa pool receiving such order shall comply with the order, and may then appeal such order as provided in Section II(E).

E. Appeal of decision of health officer.

Any person affected by any notice or decision by the health officer which has been made in connection with the enforcement of any provision of this division who is aggrieved thereby and who believes the notice or decision to be contrary to the policies and regulations of the county may request and shall be granted a hearing on the matter before the Sedgwick County Board of Health. Such request shall be made in writing to the health officer and set forth a brief statement of the grounds relied upon, and shall be made within ten (10) days after the notice or decision was received. Upon receipt of such request, the health officer shall set a time and place at the next scheduled meeting of the Board of Health for such hearing, and shall provide notice thereof to the requestor. At such hearing, the requestor shall be given an opportunity to be heard and to show why such notice or decision should be modified or withdrawn. After such hearing, the Board of Health may sustain, modify or withdraw the notice or decision, depending upon its finding as to whether the provisions of this division have been complied with.

F. Designation of manager.

The owner, agent or lessee of every public or semipublic spa pool shall designate a manager to be responsible for the operation, supervision and maintenance of a public or semipublic spa pool. The manager shall be at least twenty-one (21) years old. The owner, agent or lessee shall inform the health officer of the name, address and telephone number of the manager, in the case of outdoor spa pools before the opening of the pool each year, and in the case of indoor spa pools prior to the use of such pool, and at any time there is a change of managers during the season of operation.

G. Disinfecting materials and methods.

(1) Spa pools, when in use, shall be continuously disinfected by a chemical which imparts an easily measured, free available residual effect. When chlorine is used, a free chlorine residual of at least 1.0 parts per million shall be maintained throughout the pool whenever it is open or in use. If other halogens are used, residuals of equivalent disinfecting strength shall be maintained. A testing kit for measuring the concentration of the disinfectant, accurate within 0.1 parts per million, shall be provided at each spa pool. The health officer may accept other disinfecting materials or methods when they have been adequately demonstrated to provide a satisfactory residual effect which is easily measured and to otherwise be equally as effective under conditions of use as the chlorine concentration required in this section, and not to be dangerous to public health, create objectional physiological effects or impart toxic properties to the water. Spa pool water shall be maintained in an alkaline condition as indicated by a pH of not less than 7.2 and not over 8.2. A pH testing kit accurate to the nearest 0.2 pH unit shall be provided at each spa pool. The alkalinity of the water shall be at least sixty (60) parts per million as measured by the methyl-orange test.

(2) Chemicals used in controlling the quality of water shall be demonstrated as imparting no toxic properties to the water.

H. Water standards.

The maximum allowable water temperature for spa pools shall not exceed one hundred four (104) degrees Fahrenheit. The water in the spa pool shall have sufficient clarity at all times so that the bottom of the pool is clearly visible when viewed from the edge of the pool. Visible dirt or scum in the pool shall be removed every twenty-four (24) hours or more frequently as required.

I. Record of pool conditions.

The manager of each public or semipublic spa pool shall keep a daily record of pool conditions on forms furnished by the health officer. This data shall be made available to the health officer and shall be maintained on file for a period of at least one year.

J. Ventilation; interior surfaces.

- (1) Rooms which contain spa pools shall be provided with adequate air circulation to prevent condensation on the walls. There shall be a minimum of six (6) air changes per hour while the pool is in use.
- (2) If approved by the health officer, light colors other than white may be used on spa pool interior surfaces.

K. Equipment.

- (1) The spa pool contractor shall provide manufacturer's supporting data, when required, to confirm equipment operational performance, such as pump curves, filter area, filtration rates, etc.
- (2) All operating equipment such as pumps, filters, chlorinators, etc., shall be National Sanitation Foundation approved or equal.

L. Depth markers; precaution sign.

Public and semipublic spa pools shall have at least one marker indicating maximum depth readily visible to users and a precaution sign mounted adjacent to the entrance to the spa. The sign shall state the following with clearly legible letters no less than two (2) inches in height:

“CAUTION

1. Elderly persons and those suffering from heart disease, diabetes, high or low blood pressure should not enter the spa.
2. Unsupervised use by children is prohibited.
3. Do not use while under the influence of alcohol, anticoagulants, antihistamines, vasoconstrictors, vasodilators, stimulants, hypnotics, narcotics or tranquilizers.
4. Do not use alone.
5. Observe a reasonable time limit, then shower, cool down and, if you wish, return for another brief stay. Long exposures may result in nausea, dizziness or fainting.”

SECTION II: REPEAL OF THE EXISTING SANITARY CODE SET OUT IN CHAPTER 14, ARTICLE V OF THE SEDGWICK COUNTY CODE

The Sedgwick County Board of County Commissioners hereby repeals Article V of Chapter 14 of the Sedgwick County Code.

SECTION III. EFFECTIVE DATE

This resolution will take effect upon adoption. The clerk is directed to publish this resolution in the official county newspaper. Copies of the sanitary code are to be made available for public inspection at the Sedgwick County Department of Code Enforcement, 1144 S. Seneca, Wichita, Kansas.

Commissioners present and voting were:

BETSY GWIN	_____
TIM R. NORTON	_____
THOMAS G. WINTERS	_____
CAROLYN MCGINN	_____
BEN SCIORTINO	_____

DATED this ____ day of _____, 2002.

**BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS**

Ben Sciortino, Chairman
Fifth District

ATTEST:

Don Brace, County Clerk

APPROVED AS TO FORM:

Robert W. Parnacott
Assistant County Counselor